

**ATTACHMENT "D"**

**Form of Bond**

COPY

Bond No.: LPM8846025

LICENSE & PERMIT BOND

KNOW ALL MEN BY THESE PRESENTS: That, **APN Starfirst, L.P.**, 867 Berkshire Blvd,m Ste. 101, Wyomissing, PA 19610006, as Principal, and **Fidelity & Deposit Company of Maryland** of Baltimore, MD, as Surety, being currently licensed to do business in the State of Illinois, are held and firmly bound unto the **People of the State of Illinois** in the full and just sum of **Thirty Thousand and 00/100 Dollars** (\$30,000.00) lawful money of the United States for payment of which sum, well and truly to be made, we hereby bind ourselves, our and each of our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals, and dated the 20<sup>th</sup> day of August, 2006.

THE CONDITION OF THE OBLIGATION IS SUCH THAT: Whereas, the above-bounded Principal has taken all necessary legal steps as required by the **People of the State of Illinois** to qualify to do business as an **ARES** (Alternative Retail Electric Supplier) under 220 ILCS 5/16-115, and is required to execute this bond under 83 Illinois Administrative Code Part 451.50 by the obligee

NOW THEREFORE, the condition of this obligation is such that if the above-bounded Principal shall well and truly comply with the Laws of the **People of the State of Illinois** as pertains to the duties and obligations to operate as an **ARES**, then this obligation shall be null and void; otherwise, to remain in full force and effect.

PROVIDED, this bond may be cancelled by the Surety by filing thirty (30) days written cancellation notice by registered mail to **527 East Capitol Avenue, Springfield, IL 62701**. Provided further that the number of years this bond shall continue in force and the number of premiums that shall be payable or paid, the Surety shall not be liable hereunder for a larger amount, in the aggregate, than the amount of this bond.

IN WITNESS WHEREOF, the Principal has hereunto set his hand and the Surety has caused its corporate name to be hereunto signed, and its corporate seal attached by its duly authorized Attorney-in-fact the day and year first above written.

APN STARFIRST, L.P.

By: \_\_\_\_\_

FIDELITY & DEPOSIT CO. OF MARYLAND

By: Sally L. Gibney  
Sally L. Gibney, Attorney-in-fact

**Power of Attorney**  
**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by WILLIAM J. MILLS, Vice President, and GREGORY E. MURRAY, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint **Susan A. SALLADA, Patricia A. MARINUCCI, Sara T. SHARKEY and Sally L. GIBNEY, all of Ft. Washington, Pennsylvania, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed, ~~any and all bonds and undertakings,, each in a penalty not to exceed the sum of FIVE MILLION DOLLARS (\$5,000,000)~~ and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney revokes that issued on behalf of Susan A. SALLADA, Patricia A. MARINUCCI, Sara T. SHARKEY, Sally L. GIBNEY, dated November 14, 2003.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 19th day of January, A.D. 2005.

ATTEST:

**FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



*Gregory E. Murray*

By:

*Gregory E. Murray Assistant Secretary*

*William J. Mills*

*Vice President*

State of Maryland }  
City of Baltimore } ss:

On this 19th day of January, A.D. 2005, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came WILLIAM J. MILLS, Vice President, and GREGORY E. MURRAY, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



*Maria D. Adamski*

Maria D. Adamski

Notary Public

My Commission Expires: July 8, 2007

## EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

"Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertaking, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto."

### CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company,

this 20 day of August, 2006.

*Gerald F. Halcy*

Assistant Secretary